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NAREN CHAGANTI 713 THE HAMPTONS LANE TOWN & COUNTRY, MO 63017			EXAMINER LANIER, BENJAMINE	
			ART UNIT	PAPER NUMBER
			2432	
			NOTIFICATION DATE	DELIVERY MODE
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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**Office Action Summary****Application No.**

09/634,725

**Applicant(s)**

CHAGANTI, NAREN

**Examiner**

BENJAMIN LANIER

**Art Unit**

2432

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 October 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 5) ☒ Claim(s) 24-44 is/are pending in the application.
- 5a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 6) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 7) ☒ Claim(s) 24-44 is/are rejected.
- 8) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 9) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

***Response to Amendment***

1. Applicant's amendment filed 17 October 2011 amends claim 44. Applicant's amendment has been fully considered and entered.

***Response to Arguments***

2. Applicant argues, "Examiner appears to argue that the disclosure of 09/478,796 filed January 7, 2000 had insufficient disclosure of usage of 'video' information in the online repository. However, because the term 'video' is recited in the Specification, it is believed that Examiner might have taken some form of implicit Official Notice that the disclosure of Ser. No. 09/478,796 at page 10 did not have sufficient indicia of video information objects." This argument is not persuasive because the Examiner has not taken any Official Notice with respect to the existence of video information being stored in the claimed online repository. Instead, the Examiner stated that no such support existed in the disclosure of the '796 application. The recitation on page 10, referred to by Applicant, merely refers to user personal information that is stored in the online repository. That personal information can include personal preferences with respect to movies (Page 10, line 15). However, the online repository described in the '796 application does not store multimedia content. Instead, the online repository described in the '796 application stores a user personal profile information, which is further evidenced by the title of the '796 application which is "Online Repository For Personal Information".

3. Applicant argues, "Page 10, lines 15-16 the Specification discloses 'biometric information (retina scan, samples of speech, finger prints, DNA sequences, and other information) The term 'biometric includes video information." This argument is not persuasive

because the biometric information referenced in the specification does not include video information.

4. Applicant argues, "it is noted that Meyer is antedated by the parent application Ser. No. 09/478,796 to which this application claims priority for subject matter disclosed in the parent application...Because the parent application contains all the elements of Claim 38 (*sans* 'streaming'), Meyer cannot be used to argue that each of the elements is anticipated by Meyer." In response, "any claims in the new application not supported by the specification and claims of the parent application have an effective filing date equal to the filing date of the new application". See MPEP 706.02. Therefore, because the '796 application does not support the streaming limitation, as admitted by Applicant, the claim is not given the effective filing date of the '796 application.
5. Applicant's argument regarding the alleged missing element in Meyer from claim 32 is not persuasive because Meyer discloses a server that stores an online content library linked to particular user identity, where each library includes content title information ([0093]-[0095]). License information is stored along with the content in the online library and dictates how the content may be access ([0030] & [0057] & [0073]). Therefore, Meyer clearly shows that the library provides a security module that makes the content accessible in accord with the constraints identified in the license information.
6. Applicant argues, "Examiner states that the problem of restricting licenses is the reason one would have looked to Atkinson. But that is hindsight reasoning because Atkinson is not about restricting licenses..." This argument is not persuasive because Atkinson clearly details the

use of license restriction and the motivation to one of ordinary skill in the art to utilize such restrictions (Col. 9, lines 60-65).

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

7. Applicant argues, "This disclosure of Atkinson is insufficient to modify Meyer and render obvious the following steps of Claim 26..." This argument is not persuasive because Applicant has failed to identify any actual reasons why the disclosure of Atkinson is insufficient to place an expiration date in the licenses that are disclosed in Meyer. Atkinson clearly shows that providing licenses with expiration dates provides enhanced security by limiting the periods during which they are valid and therefore susceptible to attempted counterfeiting (Col. 9, lines 60-65).

8. Applicant argues, "Based on Glassman's criticism of other known methods, one of ordinary skill in the art, given Glassman reference, would not have taken the path taken by the Applicants..." In response, the proposed modification of Meyer in view of Glass was to include concurrent use licenses as opposed to the licenses utilized by Meyer (See pages 6-7, paragraph 13 of the Office Action mailed 15 July 2011). Glassman does not teach away from the general use of concurrent use licenses.

9. Applicant argues, "One need [sic] to speculate the features of these 'lock servers' and thereafter further speculate the method of making such 'lock servers', and later speculate that a person of skill in the art would have been able to use the 'lock server' in precisely the type of 'open network' that Glassman says they would not work." In response, there is nothing in Glassman to suggest utilizing concurrent use licenses in an open network would not work. Instead, Glassman pointed to a couple of prior art examples where implementations of lock servers had undesirable restrictions. However, this does not mean that they simply did not work as alleged by Applicant. Additionally, Glassman lays out very specific details regarding how such lock servers should be implemented (Col. 2, lines 18-26).

10. Applicant argues, "the office action states that Meyer disclosed "formatting' as the term was used in the instant application. However, Meyer at the cited portion [0018] discloses a technique known as 'ripping,' which is entirely different from formatting the digital item to suit the requirements of a client device." This argument is not persuasive because the technique known as ripping takes audio files from a compact disc and formats them for storage on the computer. This format can be one of a number of known digital formats that is well known to one having ordinary skill in the art.

11. Applicant argues, "Glassman cannot be used as a reference because Glassman teaches away from the combination as suggested by the office action." This argument is not persuasive because Applicant has failed to explain how Glassman teaches away from the combination.

***Claim Rejections - 35 USC § 102***

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

13. Claim 38 is rejected under 35 U.S.C. 102(e) as being anticipated by Meyer, U.S.

Publication No. 2001/0031066. Referring to claim 38, Meyer discloses a server that stores an online content library linked to particular user identity, where each library includes content title information ([0093]-[0095]), which meets the limitation of a database, a data communications device capable of establishing a connection with the Internet said Internet being capable of transmitting and/or receiving one or more information objects, each said information object comprising voice, video, data, text, and/or any combinations thereof, an account establishment module capable of establishing an account for the first party and storing the first party's account information in the database, a database interface module capable of storing in said database one or more copyright-protected information objects. License information is stored along with the content in the online library and dictates how the content may be access ([0030] & [0057] & [0073]), which meets the limitation of a security module capable of making the one or more copyright-protected information objects accessible to the second party in accord with one or more constraints imposed by respective license information associated with the one or more copyright-protected information objects. Meyer discloses that the content can be accessed by streaming ([0014]), which meets the limitation of the copyright-protected digital item is made accessible via a streaming technique.

***Claim Rejections - 35 USC § 103***

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

16. Claims 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meyer, U.S. Publication No. 2001/0031066, in view of Atkinson, U.S. Patent No. 6,367,012. Referring to claim 26, Meyer discloses a server that stores an online content library linked to particular user identity, where each library includes content title information ([0093]-[0095]), which meets the limitation of providing online repository services to a plurality of users by a service provider operating a server computer connected to the Internet, said server computer configured to hold information objects for each of the plurality of users, said each of the plurality of users having an account with the server computer, receiving a information object, wherein said information object comprises voice, data, storing the information object in a first user's online repository. License information is stored along with the content in the online library and dictates how the content may be access ([0030] & [0057] & [0073]), which meets the limitation of if the information object is copyright-protected, then receiving license information for the copyright-



protected information object. Meyer does not disclose that the license expires after a period of time. Atkinson discloses utilizes licenses with an expiration (Col. 9, lines 60-61), which meets the limitation of license information indicating that the license is for access of the information object for a predetermined time, permitting access of the copyright-protected information object in accordance with the time constraint imposed by the license information, and disabling access to the copyright-protected information object upon expiration of the predetermined time. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the licenses of Meyer to include expirations in order to limit the periods that the content can be access and therefore susceptible to unauthorized access as suggested by Atkinson (Col. 9, lines 60-65).

Referring to claim 27, Meyer discloses that user requests for playback of content of checked to ensure that the user has the requested content in their library and that the user has the appropriate rights in the license ([0099]), which meets the limitation of receiving a request from  $n$  requesters to access a copyright-protected information object having  $N$  (where  $N \geq 1$ ) licenses, allowing each of the  $n$  (where  $n \leq N$ ) requesters to access the digital item. Erickson does not disclose that the license expires after a period of time. Atkinson discloses utilizes licenses with an expiration (Col. 9, lines 60-61), which meets the limitation of access to the information for a predetermined period of time. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the licenses of Meyer to include expirations in order to limit the periods that the content can be access and therefore susceptible to unauthorized access as suggested by Atkinson (Col. 9, lines 60-65).

17. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Meyer, U.S. Publication No. 2001/0031066, in view of Atkinson, U.S. Patent No. 6,367,012, and further in view of Glassman, U.S. Patent No. 6,453,305. Referring to claim 28, Meyer does not disclose utilizing concurrent use licenses. Glassman discloses concurrent N-user license (Col. 1, lines 55-62). If no licenses are available, the requestor is provided with a time that a license should become available (Col. 6, lines 12-19), which meets the limitation of establishing a waiting list for each of the remaining ( $n > N$ ) requestors, and when one of the N licenses becomes available, permitting one of the requestors on the waiting list to access the information object. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the licenses of Meyer to include concurrent use licenses as described in Glassman in order to provide concurrent access to the content as taught by Glassman (Col. 1, lines 55-62).
18. Claims 24-25, 29-31, 33-34, 43 is rejected under 35 U.S.C. 103(a) as being unpatentable over Meyer, U.S. Publication No. 2001/0031066, in view of Glassman, U.S. Patent No. 6,453,305. Referring to claim 24, Meyer discloses a server that stores an online content library linked to particular user identity, where each library includes content title information ([0093]-[0095]). A user transmits content having an identifier to the server, externally accessible via the Internet, that maintains content libraries for individual users identified by usernames and passwords ([0093]-[0094]), which meets the limitation of providing online repository services to a plurality of users by a service provider operating a server computer connected to the Internet, said server computer configured to hold information objects for each of the plurality of users, said each of the plurality of users having an account with the server computer, allocating storage to store a first user's information as the user's online repository, assigning an address for the first

user's online repository, receiving the first user's account information, receiving an information object, storing the information object in the first user's online repository. License information is stored along with the content in the online library and dictates how the content may be access ([0030] & [0057] & [0073]), which meets the limitation of if the information object is copyright-protected, then receiving license information for the information object, storing the license information along with the copyright-protected information object in the first user's online repository. Meyer does not disclose utilizing concurrent use licenses. Glassman discloses concurrent N-user license (Col. 1, lines 55-62), which meets the limitation of examining the license information for the copyright-protected information object to determine a number N, (where  $N \geq 1$ ) of simultaneous users who could access the copyright-protected information object, allowing no more than N simultaneous users to access the copyright-protected information object. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the licenses of Meyer to include concurrent use licenses as described in Glassman in order to provide concurrent access to the content as taught by Glassman (Col. 1, lines 55-62).

Referring to claim 25, Meyer discloses that the content can be audio, video, and images ([0012]), which meets the limitation of the information object is an image, a piece of music, a piece of audio, a video clip, or a movie.

Referring to claim 29, Meyer discloses that the content can be accessed by streaming ([0014]), which meets the limitation of streaming content of the information object to said one or more of N users.

Referring to claim 30, Meyer discloses that the content can be formatted into a packaged format ([0018]), which meets the limitation of suitably formatting the information for access by said one or more of N users.

Referring to claim 31, Meyer discloses that the registration process indicates the format required for the particular end-user device ([0018]-[0021]; where the content would have to be formatted distinctly for am/fm broadcasting, digital broadcasting, or broadcasting over wireless carriers), which meets the limitation of initiating a handshaking protocol with a designated device to establish the type of formatting required to make the information object accessible to said one or more of N users.

Referring to claims 33-34, Meyer discloses a server that stores an online content library linked to particular user identity, where each library includes content title information ([0093]-[0095]), which meets the limitation of a database, a data communications device capable of establishing a connection with the Internet said Internet being capable of transmitting and/or receiving one or more information objects, each said information object comprising voice, video, data, text and/or any combination thereof, an account establishment module capable of establishing an account for the first party and storing the first party's account information in the database, a database interface module capable of storing in said database one or more copyright-protected information objects. License information is stored along with the content in the online library and dictates how the content may be access ([0030] & [0057] & [0073]), which meets the limitation of a security module capable of making the one or more copyright-protected information objects accessible to the second party in accord with one or more constraints imposed by respective license information associated with the one or more copyright-protected

information objects. Meyer does not disclose utilizing concurrent use licenses. Glassman discloses concurrent N-user license (Col. 1, lines 55-62), which meets the limitation of the one or more constraints imposed by the license information restricts the number N (where  $N \geq 1$ ) of times the copyright-protected information objects may be accessed simultaneously, a locking mechanism configured to prevent access to the copyright-protected information objects more than N time simultaneously. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the licenses of Meyer to include concurrent use licenses as described in Glassman in order to provide concurrent access to the content as taught by Glassman (Col. 1, lines 55-62).

Referring to claim 43, Meyer discloses a server that stores an online content library linked to particular user identity, where each library includes content title information ([0093]-[0095]), which meets the limitation of providing online repository services to a first user by a service provider operating a server computer connected to the Internet, said Internet being capable of transmitting and/or receiving one or more information objects, each said information object comprising voice, video, data, text and/or any combination thereof, said server computer configured to hold digital items of a plurality of users, said plurality of users having accounts with the server computer, receiving an identification of a information object to be included in the first user's online repository, including the identified information in the first user's online repository. Meyer does not disclose utilizing concurrent use licenses. Glassman discloses concurrent N-user license (Col. 1, lines 55-62), which meets the limitation of if the identified digital item is copyright-protected, then determining a number N, (where  $N \geq 1$ ) of times that the copyright-protected information object may be simultaneously accessed, and allowing the

copyright-protected information object to be simultaneously accessed no more than N times. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the licenses of Meyer to include concurrent use licenses as described in Glassman in order to provide concurrent access to the content as taught by Glassman (Col. 1, lines 55-62).

19. Claim 24-28, 30-37, 39-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Manolis, U.S. Patent No. 7,243,079, in view of Glassman, U.S. Patent No. 6,453,305. Referring to claims 24-28, Manolis discloses an online print service wherein users are able to sign up for an account (Figure 5, 51) by providing user information (Figure 7). The user's account has an associated URL (Col. 9, line 55), which meets the limitation of assigning an address for the first user's online repository. Once the user creates an account, they can upload images (Figures 11-12) to the online print service database (Figure 3, 330), which meets the limitation of allocating storage to store a first user's information as the user's online repository, receiving the first user's account information, receiving an information object, storing the information object in the first user's online repository, the information object is an image. Manolis does not disclose that the images can be copyrighted images that are bound by license restrictions. Glassman discloses providing licensed access to copyrighted content for a period of time (Abstract & Col. 1, lines 42-50), which meets the limitation of receiving license information for the copyright-protected information object, said license information indicating that the license is for access of the information object for a predetermine time ( $T_{\text{license}}$ ), permitting access of the copyright-protected information object in accordance with the time constraint imposed by the license information, and disabling access to the copyright-protected information object upon expiration of the predetermined time ( $T_{\text{license}}$ ). Glassman discloses concurrent N-user license

(Col. 1, lines 55-62). If no licenses are available, the requestor is provided with a time that a license should become available (Col. 6, lines 12-19), which meets the limitation of examining license information for the copyright-protected information object to determine a number  $N$  (where  $N \geq 1$ ) of simultaneous users who could access the copyright-protected information objects, and allowing no more than  $N$  simultaneous users to access the copyright-protected information object, receiving a request from  $n$  requesters to access a copyright-protected information object having  $N$  (where  $N \geq 1$ ) license, allowing each of the  $n$  (where  $n \leq N$ ) requesters to access the information object for a predetermined period of time ( $T_{\text{access}}$ ), establishing a waiting list for each of the remaining ( $n > N$ ) requesters, and when one of the  $N$  license become available, permitting one of the requesters on the wait list to access the information object. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the online print service of Manolis to provide licensed access to copyrighted images in order to provider account users with the ability control access to their copyrighted images at the same time providing concurrent access to the images as suggested by Glassman (Col. 1, lines 55-62 & Col. 2, lines 27-31).

Referring to claims 32, 35, Manolis discloses an online print service wherein users are able to sign up for an account (Figure 5, 51) by providing user information (Figure 7), which meets the limitation of an account establishment module capable of establishing an account for the first party and storing the first party's account information in the database. Once the user creates an account, they can upload images (Figures 11-12) to the online print service database (Figure 3, 330), which meets the limitation of a database interface module capable of storing in said database one or more information objects. The images are transmitted from the user's

computer to the image archive database over a network (Figure 3, 310 & Col. 4, lines 7-13), which meets the limitation of a data communications capable of establishing a connection with the Internet said Internet being capable of transmitting and/or receiving one or more information objects, each said information object comprising voice, video, data, text, and/or any combinations thereof. Once uploaded, users can share their photos with other users by placing the photos in a shared folder and sending a message to the intended share recipient that includes information used to access the shared images (Figures 24-25 & Col. 9, lines 52-65), which meets the limitation of a security module capable of making the one or more information objects accessible to the second party. Manolis does not disclose that the images can be copyrighted images that are bound by license restrictions. Glassman discloses providing licensed access to copyrighted content for a period of time (Abstract & Col. 1, lines 42-50), which meets the limitation of copyright-protected information objects, making the one or more copyright-protected information objects accessible to the second party in accord with one or more constraints imposed by respective license information associated with the one or more copyright-protected information objects, the one or more constraints imposed by license information associated with a copyright-protected information object restricts the time during which a user may access the copyright-protected information object. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the online print service of Manolis to provide licensed access to copyrighted images in order to provider account users with the ability control access to their copyrighted images as suggested by Glassman (Col. 2, lines 27-31).

Referring to claims 33, 34, Glassman discloses concurrent N-user license (Col. 1, lines 55-62). If no licenses are available, the requestor is provided with a time that a license should



become available (Col. 6, lines 12-19), which meets the limitation of the one or more constraints imposed by the license information restricts the number  $N$  (where  $N \geq 1$ ) of times the copyright-protected information object may be accessed simultaneously, a locking mechanism configured to prevent access to the copyright-protected information object more than  $N$  times simultaneously. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide concurrent use licenses for the images of Manolis in order to provide concurrent access to the content as taught by Glassman (Col. 1, lines 55-62).

Referring to claims 36-37, Manolis discloses that the images are made accessible via a browser-controlled window/via the HTTP protocol (Figures 14-15 & 24-25).

Referring to claims 30, 31, 39-41, Manolis discloses that the shared images are displayed in a format suitable for the recipient's browser (Figure 27), which meets the limitation of a formatter, said formatter capable of formatting the copyright-protected information object suitable to the requirements of a client device, the formatter is capable of selecting a suitable format from a database of formats to format the copyright-protected information object, wherein the formatter is capable of selecting a set of stored rules to format the copyright-protected information object, initiating a handshaking protocol with a designated device to establish the type of formatting required to make the information object accessible to said one or more  $N$  users.

Referring to claim 42, Manolis discloses that the shared images are displayed as thumbnails (Figure 27), which meets the limitation of the formatter formats the information object to fit the screen of said client device.

Referring to claims 43, 44, Manolis discloses an online print service wherein users are able to sign up for an account (Figure 5, 51) by providing user information (Figure 7). Once the user creates an account, they can upload images (Figures 11-12) to the online print service database (Figure 3, 330), which meets the limitation of a receiving an identification of an information object to be included in the first user's account, including the identified information object in the first user's account. Manolis does not disclose that the images can be copyrighted images that are bound by license restrictions. Glassman discloses providing licensed access to copyrighted content for a period of time (Abstract & Col. 1, lines 42-50), which meets the limitation of determining a time period (T) during which the copyright-protected information object may be accessed, and allowing the copyright-protected information object to be accessed during that time (T), and disabling access to the copyright-protected information object upon expiration of that time period (T). Glassman discloses concurrent N-user license (Col. 1, lines 55-62). If no licenses are available, the requestor is provided with a time that a license should become available (Col. 6, lines 12-19), which meets the limitation of determining a number N (where  $N \geq 1$ ) of times the copyright-protected information object may be accessed simultaneously, and allowing the copyright-protected information object to be simultaneously accessed no more than N times. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the online print service of Manolis to provide licensed access to copyrighted images in order to provider account users with the ability control access to their copyrighted images at the same time providing concurrent access to the images as suggested by Glassman (Col. 1, lines 55-62 & Col. 2, lines 27-31).

***Conclusion***

20. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **BENJAMIN LANIER** whose telephone number is (571)272-3805. The examiner can normally be reached on M-Th 7:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Benjamin E Lanier/  
Primary Examiner, Art Unit 2432